PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

ROBERT YOUNG

Serial No. **To Be Assigned**

Filed: **CONCURRENTLY HEREWITH**

For: **COMPOUNDS FOR TARGETING**

Art Unit: To Be Assigned

Examiner: To Be Assigned

PRELIMINARY AMENDMENT

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

Please enter the following amendments in the patent application identified above, before calculating the total amount of filing fee required for that application.

In the Specification

Page 1, immediately following the Title, please add the following new paragraph:

--Cross-Reference to Related Application

This application claims the benefit of Provisional Application No. 60/237,159 filed October 2, 2000.--

In the Claims

Please rewrite the following claims as follows:

4. (Amended) A compound according to Claim 1 wherein the target cell-specific portion comprises an antigen binding fragment of the humanized antibody selected

from the group consisting of Fab-like molecules, such as Fab and $F(ab')_2$, Fv molecules, disulphide-linked Fv molecules, ScFv molecules and single domain antibodies (dabs).

9. (Amended) A compound according to Claim 1 wherein the cytotoxic portion has DNA endonucleolytic activity.

15. (Amended) A compound according to Claim 1 wherein a nuclear localization signal is incorporated.

17. (Amended) A compound according to Claim 1 wherein the target cell-specific portion and the cytotoxic portion are fused.

20. (Amended) A compound according to Claim 1 wherein the compound comprises all or part of the amino acid sequence as shown in Figure 3(c) together with all or part of an amino acid sequence selected from the group consisting of amino acid sequences as shown in Figures 5(d), 6(d), 7(b), 8(b), 9(b), 10(b), 11(b), 12(b), 13(d), 14(d), 15(d), 16(c), 17(d), 18(d), and 19(d).

23. (Amended) A nucleic acid molecule encoding a compound as defined in Claim 1.

26. (Amended) A nucleic acid molecule according to Claim 23 wherein the molecule further comprises a Kozak consensus ribosome-binding site.

27. (Amended) A vector comprising a nucleic acid molecule according to Claim 23.

29. (Amended) A pharmaceutical composition comprising a compound according to Claim 1 and a pharmaceutically acceptable carrier.

30. (Amended) A compound according to Claim 1 for use in medicine.

31. (Amended) Use of a compound according to Claim 1 in the preparation of a medicament for treating a mammal having said target cells to be destroyed.

32. (Amended) A method of treating a mammal having target cells to be destroyed, the method comprising administering a compound according to Claim 1 to said mammal.

33. (Amended) A use according to Claim 31 wherein the mammal is a human.

34. (Amended) A use according to Clailm 31 wherein the target cells to be destroyed are cancer cells.

35. (Amended) A use according to Claim 34 wherein the cancer cells are epithelial cancer cells.

36. (Amended) A use according to Claim 35 wherein the cancer cells are ovarian, gastric, colorectal and/or pancreatic cancer cells.

37. (Amended) A use according to Claim 36 wherein the cancer cells are ovarian cancer cells.

Cancel Claim 38, without prejudice.

Please add the following new claims:

39. (NEW) A method wherein the mammal is a human.

40. (NEW) A method wherein the target cells to be destroyed are cancer cells.

41. (NEW) A method according to Claim 40 wherein the cancer cells are epithelial cancer cells.

42. (NEW) A method according to Claim 41 wherein the cancer cells are ovarian, gastric, colorectal and/or pancreatic cancer cells.

43. (NEW) A method according to Claim 42 wherein the cancer cells are ovarian cancer cells.

Version with Markings to Show Changes Made

Amendments in the Claims

In accordance with 37 C.F.R. 1.121(c) the following version of the claims as rewritten by the foregoing amendment shows all the changes made relative to the previous version of the claim.

4. (Amended) A compound according to Claim 1 [or 2] wherein the target cell-specific portion comprises an antigen binding fragment of the humanized antibody selected from the group consisting of Fab-like molecules, such as Fab and $F(ab')_2$, Fv molecules, disulphide-linked Fv molecules, ScFv molecules and single domain antibodies (dabs).

9. (Amended) A compound according to [any one of Claims 1 to 8] Claim 1 wherein the cytotoxic portion has DNA endonucleolytic activity.

15. (Amended) A compound according [any one of Claims 1 to 8] Claim 1 wherein a nuclear localization signal is incorporated.

17. (Amended) A compound according to [any one of Claims 1 to 8] Claim 1 wherein the target cell-specific portion and the cytotoxic portion are fused.

20. (Amended) A compound according to [any one of Claims 1 to 8] Claim 1 wherein the compound comprises all or part of the amino acid sequence as shown in Figure 3(c) together with all or part of an amino acid sequence selected from the group consisting of

amino acid sequences as shown in Figures 5(d), 6(d), 7(b), 8(b), 9(b), 10(b), 11(b), 12(b), 13(d), 14(d), 15(d), 16(c), 17(d), 18(d), and 19(d).

23. (Amended) A nucleic acid molecule encoding a compound as defined in [any one of Claims 1 to 22] Claim 1.

26. (Amended) A nucleic acid molecule according to [any one of Claims 23 to 25] Claim 23 wherein the molecule further comprises a Kozak consensus ribosome-binding site.

27. (Amended) A vector comprising a nucleic acid molecule according to [any one of Claims 23 to 25] Claim 23.

29. (Amended) A pharmaceutical composition comprising a compound according to [any one of Claims 1 to 22] Claim 1 and a pharmaceutically acceptable carrier.

30. (Amended) A compound according to [any one of Claims 1 to 22] Claim 1 for use in medicine.

31. (Amended) Use of a compound according to [any one of Claims 1 to 22] Claim 1 in the preparation of a medicament for treating a mammal having said target cells to be destroyed.

32. (Amended) A method of treating a mammal having target cells to be destroyed, the method comprising administering a compound according to [any one of Claims 1 to 22] Claim 1 to said mammal.

33. (Amended) A use according to Claim 31 [or a method according to Claim 32] wherein the mammal is a human.

34. (Amended) A use according to Claim 31 wherein the target cells to be destroyed are cancer cells.

35. (Amended) A use according to Claim 34 [or a method according to Claim 32] wherein the cancer cells are epithelial cancer cells.

36. (Amended) A use [or a method] according to Claim 35 wherein the cancer cells are ovarian, gastric, colorectal and/or pancreatic cancer cells.

37. (Amended) A use [or a method] according to Claim 36 wherein the cancer cells are ovarian cancer cells

Claim 38 is cancelled.

New Claims 39-43 are added.

The Specification is amended to claim the benefit of a provisional application, per 35 U.S.C. § 119(e).

REMARKS

The claims are revised to remove multiple dependencies, thus avoiding the payment of the surcharge required for multiple-dependent claims. For this purpose, Claims 33-37 are amended to recite only a "use", and new Claims 39-43 are added to recite the "method" version of original Claims 33-37.

Claim 38 is cancelled as obviously failing to comply with 35 U.S.C. § 112, second paragraph.

The applicant requests entry of this amendment and awaits examination in due course.

Respectfully submitted,

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